

Orders on Motions

1:05-cv-00125-SJM-SPB CLAY v. REEVES, et al

U.S. District Court

Western District of Pennsylvania

Notice of Electronic Filing

The following transaction was received from rlh, entered on 11/16/2006 at 4:19 PM EST and filed on 11/16/2006

Case Name: CLAY v. REEVES, et al

Case Number: 1:05-cv-125

Filer:

Document Number: 59

Docket Text:

MEMORANDUM ORDER: [41] Plaintiff's Motion for Preliminary Injunction is DENIED; adopting [49] Report and Recommendations. Signed by Judge Sean J. McLaughlin on 11/16/2006. (rlh)

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1098469114 [Date=11/16/2006] [FileNumber=643665-0]
] [55769a7c7b44434ff1846aea696e77908b34e2734c7a65e7c8a3721a518ceab1cf5
b8da46b14187260245e0885eee7f4e47ceec25b8bf52882d2578ea61ec0ff]]

1:05-cv-125 Notice will be electronically mailed to:

Craig E. Maravich cmaravich@attorneygeneral.gov, ahamlin@attorneygeneral.gov;
pminahan@attorneygeneral.gov

1:05-cv-125 Filer will deliver notice by other means to:

CASSIUS M. CLAY, SR
DQ-5954
SCI Forest
Post Office Box 945
Marienville, PA 16239-0945

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CASSIUS M. CLAY, SR.,

Plaintiff,

v.

DOMESTIC RELATIONS SECTION, et al.,

Defendants.

Civil Action No. 05-125 Erie

MEMORANDUM ORDER

This civil rights action was received by the Clerk of Court on April 28, 2005, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [Doc. No. 49], filed on September 28, 2006, recommended that Plaintiff's motion for preliminary injunction [Doc. No. 41] be denied. The parties were allowed ten (10) days from the date of service to file objections. Service was made on Plaintiff by certified mail and on Defendants. Plaintiff was granted two extensions of time in which to file objections [Doc. No. 53 and Doc. No. 57]. No objections were filed. After de novo review of the motion and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 16th day of November, 2006;

IT IS HEREBY ORDERED that the Plaintiff's motion for preliminary injunction [Doc. No. 41] is DENIED.

The Report and Recommendation [Doc. No. 49] of Magistrate Judge Baxter, filed on September 28, 2006, is adopted as the opinion of the Court.

s/ Sean J. McLaughlin
United States District Judge

cm: All parties of record
Susan Paradise Baxter, U.S. Magistrate Judge

Other Orders/Judgments

1:05-cv-00125-SJM-SPB CLAY v. REEVES, et al

U.S. District Court

Western District of Pennsylvania

Notice of Electronic Filing

The following transaction was received from rlh, entered on 11/20/2006 at 11:49 AM EST and filed on 11/20/2006

Case Name: CLAY v. REEVES, et al

Case Number: 1:05-cv-125

Filer:

Document Number: 61

Docket Text:

MEMORANDUM ORDER: Upon review, nunc pro tunc, of [60] Plaintiff's untimely objections to the Magistrate Judge's report and recommendation, it is hereby ORDERED that [41] Plaintiff's motion for preliminary injunction is DENIED; adopting [49] Report and Recommendation. Signed by Judge Sean J. McLaughlin on 11/20/2006. (rlh)

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1098469114 [Date=11/20/2006] [FileNumber=645449-0]
] [d38b260771e4d35fa23602de8b7c380ab93d18efcc5eafd4e13bfeb5ba0a12ab183
1062d0a671f3d77f772564550985111044b855e7623c279eb9a40f75b9b8d]]

1:05-cv-125 Notice will be electronically mailed to:

Craig E. Maravich cmaravich@attorneygeneral.gov, ahamlin@attorneygeneral.gov;
pminahan@attorneygeneral.gov

1:05-cv-125 Filer will deliver notice by other means to:

CASSIUS M. CLAY, SR
DQ-5954
SCI Forest
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Marienville, PA 16239-0945

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CASSIUS M. CLAY, SR.,

Plaintiff,

v.

DOMESTIC RELATIONS SECTION, et al.,

Defendants.

Civil Action No. 05-125 Erie

MEMORANDUM ORDER

AND NOW, this 20th day of November, 2006, and upon review, *nunc pro tunc*, of Plaintiff's untimely filed objections [Doc. No. 60] to Magistrate Judge Susan Paradise Baxter's report and recommendation dated September 28, 2006 [Doc. No. 49], recommending that Plaintiff's motion for preliminary injunction [Doc. No. 41] be denied, the following order is entered:

IT IS HEREBY ORDERED the Plaintiff's motion for preliminary injunction [Doc. No. 41] is DENIED.

The Report and Recommendation [Doc. No. 49] of Magistrate Judge Baxter, filed on September 28, 2006, is adopted as the opinion of the Court.

s/ Sean J. McLaughlin
United States District Judge

cm: All parties of record
Susan Paradise Baxter, U.S. Magistrate Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CASSIUS M. CLAY SR.,
Plaintiff

VS.

TRACY REEVES, et al.,
Defendants

Civil Action No.: 05-125 Erie

District Judge McLaughlin

Magistrate Judge Baxter

STATEMENT OF VERIFICATION

I verify that the foregoing is true and correct. I understand that false statements made herein are subject to the penalties of 28 U.S.C. §1746, relating to perjury.

Date: DECEMBER 14, 2006.

By: Cassius M. Clay Sr.

Cassius M. Clay Sr.
Inmate No.: DQ-5954
SCI-Forest
1 Woodland Dr.
P.O. Box 945
Marienville, PA 16239
(Pro se Plaintiff)

IN THE UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

CASSIUS M. CLAY SR.,
Plaintiff

Civil Action No.: 05-125 Erie

District Judge McLaughlin

Magistrate Judge Baxter

VS.

TRACY REEVES, et al.,
Defendants

CERTIFICATE OF SERVICE

I certify that on this 14th day of DECEMBER 2006, I
submitted the original of this document to prison officials at the State Correctional
Institution at Forest, by placing the same in the prison mailbox addressed as follows:

Office of the Clerk
U.S. District Court
Western District of PA
P.O. Box 1820
Erie, PA 16507

I further certify that on this 14th day of DECEMBER
2006, I served a true and correct copy of the foregoing on the parties of record, by
submitting this document to prison officials at the State Correctional Institution at
Forest, by placing the same in the prison mailbox addressed as follows:

Mary L. Freidline
Deputy Attorney General
Office of the Attorney General
6th Flr., Manor Complex
564 Forbes Ave.
Pittsburgh, PA 15219

Both documents were sent U.S. First Class Mail, postage pre-paid.

Date: December 14, 2006

By: Cassius M. Clay Sr.

Cassius M. Clay Sr.
Inmate No.: DQ-5954
SCI-Forest
1 Woodland Dr.
P.O. Box 945
Marienville, PA 16239
(Pro se Plaintiff)